

**LOWER PAXTON TOWNSHIP
PLANNING COMMISSION**

November 10, 2010

COMMISSIONERS PRESENT

Fredrick Lighty
Roy Newsome
Dennis Guise
Douglas Grove
Robin Lindsey
Richard Beverly
Ernie Gingrich

ALSO PRESENT

Dianne Moran, Planning & Zoning Officer
Leah Rowand, Dauphin County Planning Commission
Steve Fleming, HRG, Inc.

CALL TO ORDER

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:00 pm, on November 10, 2010 in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Beverly led the recitation of the Pledge.

APPROVAL OF MINUTES

No action was taken on minutes.

NEW BUSINESS

**Preliminary/Final Subdivision & Land Development Plan #10-14
Colonial Park Animal Clinic**

Ms. Moran stated that the purpose of this plan is to combine parcel 35-035-116 (Lot #1) and parcel 35-053-117 (Lot #2) into one lot. The applicant proposes to construct an approximately 2,000 square foot addition to the clinic located at 4905 Jonestown Road. Five additional parking spaces will be added. The property is zoned CG, Commercial General District, and is located between Earl Avenue and Byron Avenue, along Jonestown Road. The property is served by public sewer and public water, and consists of 21,640.16 square feet.

The applicant has requested variances for required buffer and paved area setbacks from the Lower Paxton Township Zoning Hearing Board. Variances for these were granted on November 4, 2010. A variance will be required for the lot size as well. The Zoning Hearing Board will hear testimony on this variance request at its December 2, 2010 meeting.

The following waivers were requested:

1. Waiver of the requirement to provide a preliminary plan [1115.04].
2. Waiver of the requirement to provide sidewalks [905].
3. Waiver of the requirement to provide a complete stormwater management report [1116].
4. Waiver of the requirement to provide a complete erosion and sedimentation control plan [1121].

Rob Shaffer, Act One Consultants, was present on behalf of the plan.

Mr. Shaffer stated there is proposed just over 2,000 square foot addition to the current animal clinic. With the addition, the parking has to be reconfigured to meet the zoning requirements. Pervious paving is proposed which should equal the amount of any additional paving in the parking lot; the only impervious surface will be the building cover.

Mr. Shaffer stated that two variances were granted, and there was some discussion on the suitable buffer along the rear of the property where it abuts the R-2 Zone along the alley. Vegetation is shown on the plan, but the Zoning Hearing Board was more interested in fencing, at least four feet high, maybe six feet, as a part of that variance. Mr. Lighty stated the variance was granted conditioned upon the fence. Mr. Shaffer agreed that was correct.

Mr. Shaffer stated the driveway will continue to be located where it is now, and the building expansion will go to the west. There will be no work along the Jonestown Road frontage.

Mr. Shaffer explained that the waivers requested are due to the simplicity of the plan, trying to minimize disturbance.

Mr. Lighty asked if the applicant has received the comments from staff, HRG and Dauphin County. Mr. Shaffer stated he did. Mr. Lighty asked if he'd like to discuss any of the comments. Mr. Shaffer stated he'd like to discuss a few of them.

With regard to HRG comment #8, Mr. Shaffer stated the parking lot is existing. He asked how to address the comment without losing the required number of parking spaces. Mr. Fleming stated he is looking for a sight distance analysis at the alley. He commented there is landscaping on-site, and there may be an issue for vehicles seeing to the left pulling out from the alley. If there are any parking spaces located there, they may have to be removed. Mr. Shaffer noted there may be one or two spaces to spare.

Mr. Shaffer asked about HRG comment #9. The landscaping as shown on the plan can be adjusted, but on-street parking is permitted on both sides of the street in that area. There is no way to

address that without marking it for no-parking. Mr. Fleming stated it is typical to stripe the approach to the driveway so that vehicles cannot park right against the driveway. Mr. Shaffer asked if the Township would have a problem with no-parking zones there. Mr. Lighty answered no.

Mr. Shaffer asked if comment #13 really applies, if a buffer yard plan is really required. Ms. Moran stated it is required to show it on the plan. Mr. Shaffer was not sure what it should include. Ms. Moran offered to help Mr. Shaffer, and asked him to call the office. Mr. Shaffer asked about a landscaping plan as well. Ms. Moran will help him with that too.

Mr. Shaffer stated that there are a few large Sycamore trees along the property, and they plan to add a few more.

Mr. Shaffer stated he did not think he could address comment #18. He asked if it means islands have to be added in the parking lot. Mr. Fleming stated that is what is required, and he suggested the rain garden feature may satisfy the comment, but it has to be quantified on the plan. Mr. Shaffer agreed to do that.

Regarding comment #28, Mr. Shaffer clarified that there is only one access. Mr. Fleming stated the comment wasn't meant to mean there are more than one, but the ordinance reads that each access must meet the requirement.

Mr. Newsome asked about the curbing. Mr. Shaffer noted the curb runs along Byron Avenue and wraps around the corner, but stops, and does not run along Route 22 because of the steep bank.

Mr. Newsome asked if there are any sidewalks in the immediate area. Mr. Shaffer stated there are none on that side of the street, and there are none in the residential area. Ms. Lindsey stated there are some along Route 22. Mr. Shaffer stated there are some on the north side of the road, but none on the south side or further south. Mr. Lighty asked if the conflict is the bank. Mr. Shaffer stated it is. He also noted that the existing PennDOT right-of-way is at the top of the bank, so they would have to dedicate more right-of-way. Mr. Shaffer stated that there may be room along Byron Avenue, but there is a huge Sycamore that would be in the way.

Mr. Grove stated the nearest sidewalk is at Olde Liberty Square, and Ms. Lindsey noted there are sidewalks at Pep Boys.

Mr. Newsome commented that this lot is a difficult lot. Mr. Shaffer agreed.

There were no additional comments offered from HRG, Staff, or Dauphin County.

Mr. Lighty called for comments from the audience. There were none.

Mr. Guise made a motion to recommend approval of the plan, and approval of the four requested waivers, subject to compliance with the comments. Mr. Newsome seconded the motion, and a unanimous vote followed.

Preliminary/Final Subdivision & Land Development Plan #10-15
BA Properties 1, LLC

Ms. Moran stated that the purpose of this plan is to subdivide the existing lot into two new lots. Lot 1 will consist of 2.4866 acres and contains the daycare center and the office/flex building. Lot 2 will contain 1.3436 acres and is reserved for future development. The property is zoned CN, Neighborhood Commercial District, and is located on the north side of Jonestown Road, across from Paxtonia Elementary School. The property will be served by public sewer and public water. No new public or private improvements are proposed as part of this subdivision plan at this time.

The applicant has requested the following waivers:

1. Waiver of the requirement to provide a preliminary plan [1115.04].
2. Waiver of the requirement to provide a stormwater management plan [1116].
3. Waiver of the requirement to provide an erosion and sedimentation control plan [1121].

Mr. Randy Allen, Dauphin Engineering Company, was present on behalf of the plan.

Mr. Allen stated the purpose of the plan is simply to subdivide the lots, there are no improvements or construction proposed at this time.

Mr. Lighty asked about the status of the Coxon plan for this site. Mr. Allen stated it was conditionally approved in 2004, the improvement guarantee was never posted, thus, the plan was never recorded. The land has since transferred ownership to BA Properties 1, and they do not wish to construct the conditionally approved plan.

Mr. Lighty asked if the applicant received the comments. Mr. Allen stated he did. Mr. Lighty asked if he needed to discuss any of them. Mr. Allen stated he had a few questions.

Regarding HRG comment #5, Mr. Allen stated the detention basin is in a sedimentation stage now. Apparently there was a plan done in 1990 under Paxtonia Rentals (Reynolds?) that constructed the two buildings that are on the lot now. He thinks at that time they prepared an E&S plan and a stormwater plan, and the basin was constructed, but it still has the sediment facility outlet structure on it. He is not sure who is legally responsible for the outlet structure. Eventually there will be a land development plan for Lot #2, and a stormwater plan done at that time. An outlet structure will be designed at that time, so it will address this concern then.

Mr. Fleming stated he'd have to look at the 1990 plan, and see what structure was proposed at that time. He noted it is not appropriate to leave it in a sedimentation stage, because it is a hazard.

Mr. Allen stated that if a land development plan is done in the future, the first stage of that situation is to put in a sediment basin facility, in which case, it is that right now. He noted it does not make sense to disturb it and put in the outlet structure, then redisturb it to put it into a sediment basin, then do it again to put in a stormwater outlet structure. He asked if there is another way to

accommodate the water. Mr. Fleming stated that without knowing what was proposed, and the amount of disturbance needed to convert it, it may be as simple as pumping out the water and removing the stand pipe and installing a new outlet structure if that is what was proposed. He noted in the 1990's it was popular to install a stand pipe as the outlet structure. Mr. Allen stated he did find the plans from 1990, and they do propose a concrete outlet structure with an interesting configuration. Mr. Fleming stated it may be possible to modify the stand pipe with the understanding that future work will be done. Mr. Allen suggested putting a note on the plan. Mr. Fleming stated he would prefer to see it done now, since it was required of the property 20 years ago and wasn't completed then. It is not right to pass up the opportunity again. He noted that a land development plan may be submitted, but it may be a long time until that happens.

Mr. Newsome asked if the 8" pvc pipe that dumps into the sedimentation exists. Mr. Allen stated he thinks it is a rainwater collector, but he was unsure where it comes from exactly. Mr. Newsome asked how much is coming out of it into the basin. Mr. Allen stated it is a portion of the roof water, but he did not analyze the roof slopes.

Mr. Guise asked if the sediment basin takes water from Lot #1. Mr. Allen answered yes. It was done in 1990, as required. Mr. Guise stated there will have to be an agreement for Lot #2 to take the water from Lot #1. Mr. Allen stated that that is one of the comments already, and they will do it. Mr. Gingrich asked if the basin is hazardous, as it exists. Mr. Fleming answered yes, because of the standing water in the facility. Mr. Gingrich asked if adjusting the stand pipe would suffice. Mr. Fleming stated it is possible in order to limit the amount of disturbance and still accomplish the same goal. Mr. Lighty asked if the applicant was willing to do that. Mr. Allen answered yes.

Regarding comment #7, Mr. Allen stated that there is no proposed lot access point for Lot #2; it could be a new driveway, or it could be a shared driveway with what exists. He noted he did some sight distance analyses, and any location along there is acceptable. Mr. Fleming explained that the reason for the comment is that there is already one driveway serving the utility structure. If the new lot is going to gain access through Lot #1, then the applicant is going to need to identify the cross access easement for the two properties to share. The subdivision is the appropriate time to do that.

Mr. Allen asked about comment #10, noting there are no improvements proposed on the land, so there are no utilities proposed yet. Mr. Fleming stated that there is sewer to Lot #1 already, and if the intention is to share the connection, the connection point needs to be shown. If the intent is to connect to Jonestown Road, the connection needs to be shown as it relates to restoration. Mr. Fleming explained that once the lots are created, the two parties are no longer required to work together.

Ms. Rowand, Dauphin County Planning Commission, suggested fewer access points be considered. There are many access points there now, and it is not desirable to increase that.

Mr. Gingrich made a motion to recommend approval of the plan, subject to compliance with the comments, and to recommend approval of the waivers requested. Mr. Grove seconded the motion, and a unanimous vote followed.

Business Improvement District

The next regularly scheduled BID workshop meeting is November 15, 2010, at 5:30 pm. The Commission will continue to work on the bylaws for the Preliminary Plan.

Subdivision & Land Development Ordinance

Mr. Lighty asked the Commissioners to review the comments presented by SWAN again, so that it can be discussed again at the December meeting.

Wind Energy Subcommittee

Mr. Lighty stated that the subcommittee members have received some background information to review, and hopes to have something to report by the January meeting.

PUBLIC COMMENT

There was no public comment offered.

COMMISSIONER COMMENT

Mr. Newsome asked if there has been any word on the new configuration of the I-83/Route 22 ramps. Mr. Grove stated it seems to be working well. He noted however, that the sidewalk on the south side of Route 22 is still holding water.

Mr. Lighty asked about the status of Nyes Road. Mr. Fleming stated that the PennDOT deadline for paving is October 15, and that was met. Mr. Lighty stated that if the paving is done, the only work left is guide rails and things not related to the paving. Mr. Fleming explained that HRG is not involved in that project, so he doesn't know the status.

ADJOURNMENT

The next regular Planning Commission meeting is scheduled for Wednesday, December 8, 2010, at 7:00 pm at the Lower Paxton Township Municipal Center, Room 171.

Being no further business, the meeting adjourned at 7:36 pm.

Respectfully Submitted,

Michelle Hiner
Recording Secretary